

Open Letter to the Government and People of Uganda Catholic Bishops' Conference of Uganda

Concerning the Ratification of the 'Protocol to the African Charter on Human Rights and Peoples' Right:
On the Rights of Women in Africa'

1. The Constitution of the Republic of Uganda, in Article 22.2, affirms and protects the right to life of that most vulnerable of human persons, the unborn child. We are sure that this article of our Constitution reflects a deeply rooted conviction of Ugandans and a fundamental value of our culture: namely, that all of human life is sacred and good in itself, even from its very beginnings, and that consequently, abortion is a fundamental evil.

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2. As you may have noticed, in recent months there have been some comments in the national media about a possible change in the legislation of our country that would seek to introduce legalised abortion and thus overturn Article 22.2 of the Constitution.

3. The protection of the life of the unborn child reflects a noble desire to protect the most defenceless among us, those who cannot protect themselves. We know very well that abortions occur, here as elsewhere in the world. We also know that quite often they occur in dramatic circumstances for the women involved. We do not intend to judge the mothers who feel driven at a given moment — and often because of pressures from those around them who thus share the responsibility — to put an end to the innocent life developing within them. We prefer to exhort all men and women of good will to steadfastly uphold the positive respect for life that represents the heritage of both our Christian and African traditions.

4. It is our duty as Pastors and citizens to remind our fellow Catholics and our fellow Ugandans that the very purpose of the law is to foster the common good. The common good is undermined, indeed betrayed, when a society fails to protect its weak and defenceless members. Abortion, regardless of the reasons leading to it, is always an attack on the weakest and the most defenceless members of our society. We are obliged to put this point strongly before our fellow countrymen: abortion — the deliberate termination of a pregnancy at any stage of its development — is always an objective evil. No legislation can change it into something good. This is the law of God, which anyone can find enshrined in the natural law. We therefore appeal to the legislators of the country not to yield on this fundamental point. Abortion is an objective evil and our legislation must never seek to legitimise it.

5. We have chosen to write this open letter now because of grave events may have escaped the attention of the media and of public opinion thus far. These events are ominous and we think it is necessary to speak out about them before it is too late. We refer here to a protocol on the Rights of Women in Africa adopted by the second ordinary session of the African Union at Maputo on 11 July 2003. In other words, a legal text is being proposed to all the countries of Africa for incorporation into each country's national law.

The Maputo Protocol has been welcomed by many people, men and women of good will, because it contains some elements that are praiseworthy. However, we must note with dismay that the same protocol also contains an explicit affirmation and encouragement of abortion. Thus, the ratification of this protocol by a country introduces into the national law of that country the right to abortion. Under the title "Health and reproductive rights" we read:

The Stated Parties shall... "protect the reproductive rights of women by authorising medical abortion in cases of sexual assault, rape, incest and where the continued pregnancy endangers the mental and physical health of the mother or the life of the mother or the fetus" (Art. 14.2.c).

6. To date, 16 African countries have ratified this protocol. We wonder how many of the citizens of these 16 African countries are aware of the decision of their legislators. We also wonder if the same African citizens are aware that the African Union, with this protocol, has introduced the first human-rights instrument to expressly articulate a woman's right to abortion in specified circumstances. Never before has an international protocol gone so far! We believe strongly that the people of Africa have no wish to see such a protocol introduced into their laws. We are sure the People of Uganda would never wish it. For that reason we find it essential to bring this matter to public attention. Uganda has signed this protocol, but has not yet ratified it. In practical terms, this means that the protocol has no force in Uganda and will have no legal force until it is ratified and confirmed.

7. Abortion is always a defeat of humanity: the elaborate, mixed and confused semantics under which it is increasingly disguised by powerful lobbies at work in many of the international and national fora also here in Uganda, will never hide the fact that it is a willful homicide of the most defenceless form of life. In the history of humanity never has such objective evil been presented and approved as a right. This is the fundamental truth that no mixed and deceitful semantics can hide. Who protects the right to life of the unborn child?

8. The situations of severe distress mentioned by the text of the protocol (rape, incest, sexual assault) cannot create the right to suppress an innocent life. This applies even less to a much less well defined "danger to the mental and physical health of the mother or the life of the mother or the life of the fetus" which, as matter of fact, is the open door to abortion on demand.

9. We are convinced that only a consistent and unambiguous process of education to a correct and wholly human practice of sexuality can stop the spread of the kind of behaviour that leads

to rape, incest, sexual assault and eventually to "unwanted pregnancies". So we feel the need to renew this observation and direct it to all women and men of good will, to parents, to educators, to pastors, to all actors in civil society: there are no short cuts in the process of integral human development. We ask them to renew efforts and initiatives in support of families, of the education of youth and especially of women victims of rape and incest or of those simply carrying a child conceived out of wedlock.

10. The growth of a mature human personality depends on a culture, on a tradition handed on from generation to generation, on unambiguous values consistently upheld and witnessed by mature persons: fathers, mothers, educators, role models... that the youth encounter on their path. This culture and behaviour can be hindered by an ambiguous and confusing legislation. We appeal to all women and men of good will, and to the youth, to promote a "culture of life" and resist all forms of aggression against life.

11. As a practical suggestion, we encourage all men and women of good will to actively engage political candidates requesting our vote in this electoral period with specific questions about their intentions concerning the legalisation of abortion in Uganda and the ratification of the Maputo Protocol on the Rights of Women in Africa. We encourage all men and women who share our concerns to specifically condition their vote to the assurance and commitment the candidate does not approve either.

12. In conclusion, we say to our fellow Ugandans: the greatest gift of the Creator to humanity is the gift of life. Accepting that gift means also welcoming the beautiful gift of human sexuality, through which the Creator has chosen to channel his gift of new life. Only a full understanding of the precious, yet complex, gift of human sexuality, and the consequent efforts to protect and value it, can build a healthy society. The legislation of our Country cannot be ambiguous on this point. This is the task we all have.

13. In the book of Deuteronomy, God puts this choice before his people: "I put before you life and death, blessing and curse: choose life then that you and your descendants may live" (Dt 30:19). Never before has this choice been so dramatically relevant for us as now. Before us we have the choice and responsibility of protecting innocent and defenceless human life or of allowing it to be snuffed out, abandoned and neglected. Our choice does not concern only the unborn, it concerns every single life; for if we allow one innocent human life to be arbitrarily extinguished we diminish all human life and we bring about that curse of which the book of Deuteronomy speaks. The pestilence of abortion threatens our land. We write to alert the government and people of Uganda to this threat and to urge them all: "Choose life".

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